

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 14-cr-40038-JPG

NAEEM MAHMOOD KOHLI,

Defendant.

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Naeem Mahmood Kohli's motion for leave to proceed on appeal *in forma pauperis* (Doc. 146). A federal court may permit a party to proceed on appeal without full pre-payment of fees provided the party is indigent and the appeal is taken in good faith. 28 U.S.C. § 1915(a)(1) & (3); Fed. R. App. P. 24(a)(3)(A).

The Court is not satisfied that Kohli is indigent. The Court recently adopted the presentence investigation report finding Kohli had substantial assets and net worth. Furthermore, he has paid the appellate filing fee in full. The Court therefore **DENIES** Kohli's motion (Doc. 146).

The Court further notes that Kohli filed this motion *pro se* although he is represented by counsel. A defendant does not have a right to file his own motions when he is represented by counsel. *See Hayes v. Hawes*, 921 F.2d 100, 102 (7th Cir. 1990) (*per curiam*). "Representation by counsel and self-representation are mutually exclusive." *Cain v. Peters*, 972 F.2d 748, 750 (7th Cir. 1992). So-called "hybrid representation" confuses and extends matters and therefore is forbidden. *See United States v. Oreye*, 263 F.3d 669, 672-73 (7th Cir. 2001). The Court may strike as improper any such *pro se* motions. *See, e.g., United States v. Gwiazdzinski*, 141 F.3d 784, 787 (7th Cir. 1998). Although the Court has considered Kohli's *pro se* motion in this instance, it **WARNs** him that it may summarily strike further *pro se* filings while Kohli is represented by counsel.

IT IS SO ORDERED.

DATED: November 18, 2015

s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. DISTRICT JUDGE